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4 Dept. of Public Works
5 State of California
6 Division of Water Resources
7 State Engineer

ENTERED
Judgments
VOL. 19
PAGE 472

ENDORSED:
FILED
Apr. 3, 1950
WALDO J. SMITH, CLERK
By s/ ANNETTA MCKENZIE
Deputy

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 IN AND FOR THE COUNTY OF SISKIYOU

10 ...oOo...

11 IN THE MATTER OF THE DETERMINATION)
12 OF THE RIGHTS OF THE VARIOUS CLAIMANTS)
13 TO THE WATERS OF SHACKLEFORD CREEK AND)
14 ITS TRIBUTARIES IN SISKIYOU COUNTY,)
15 CALIFORNIA)

NO. 13775

DECREE

16 ...oOo...

17 The above entitled cause having come on regularly for hearing, trial
18 and determination on the 19th day of January, 1950, before this Court sitting
19 without a jury, Mark C. Nosler appearing as attorney for the Department of
20 Public Works of the State of California, Division of Water Resources, acting
21 through the State Engineer, hereinafter referred to as "Department"; Emmet J.
22 Seawell, Assistant United States Attorney, Northern District of California,
23 appearing specially for the United States of America pursuant to, and in
24 accordance with that certain Stipulation for Order of Determination dated
25 November 19, 1946, on file in the above entitled proceeding; C. J. Lattrell,
26 appearing as attorney for Joseph Rivallier, Lena Butler, Edward Burton and
27 Emma S. Burton, his wife, Burnell Burton and Rose A. Burton, his wife, John
28 Heide and Lorene M. Heide, his wife, and Douglas Eastlick and Elma J. Eastlick,
29 his wife; and George A. Tebbe appearing as Attorney for Cornelius J. Mulloy,
30 L. Dennis Mulloy and F. L. Lathrop and Georgina C. Lathrop, his wife; all parties
31 in interest in said proceeding having been duly and regularly notified of said

1 hearing, trial and determination and no exceptions having been filed to the
2 Order of Determination on file herein; the Department, having made motion for
3 entry of decree in accordance with said Order of Determination; and the Court
4 being fully advised in the premises; and having entered an order affirming said
5 Order of Determination, now therefore, the Court renders this its decree deter-
6 mining the rights of all persons involved in said proceeding in accordance with
7 said Order of Determination as follows, to wit:

8 IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

9 1. All of the rights hereinafter set forth are subject to all
10 definitions, limitations and provisions hereinafter set forth under the
11 heading "GENERAL DEFINITIONS, LIMITATIONS AND PROVISIONS."
12

13 HISTORY OF THE PROCEEDING

14 2. This proceeding was initiated, pursuant to Division 2, Part 3,
15 Chapter 3, of the Water Code, by petition of Abbie C. Albee, L. D. Mulloy,
16 C. J. Mulloy, Essie J. Mulloy, W. A. Hicks, Robert P. Davis, Arthur I.
17 Soderquist, Frances Vanarsdell, Edward Burton, Lucie M. Walker and Gladys
18 Burton. Said petition, duly filed with the Department on January 18, 1944,
19 requested a determination of the rights of the various claimants in and to the
20 use of the waters of Shackleford Creek and its tributaries in Siskiyou County.

21 3. Upon investigation the Department found the facts and condi-
22 tions to be such that the public interest and necessity would be served by
23 the determination petitioned for. On June 22, 1944, by order duly given
24 and made, the Department granted said petition, and thereafter duly gave
25 notice by publication, setting forth the entry of the aforesaid order and
26 of the pendency of this proceeding, specifying the date upon which the Depart-
27 ment would begin its examination of said stream system, to wit: September 1,
28 1944, and prescribing and requiring all claimants to rights in and to the use
29 of the waters of said Shackleford Creek and its tributaries to make proof of
30 their claims.

31 4. At the time set in said notice the Department began its

1 investigation of the flow of Shackleford Creek and its tributaries, and of
2 the conduits diverting water, and of the lands irrigated or irrigable there-
3 from, and proceeded to gather all other data and information essential to
4 the proper determination of the rights in and to the use of the waters
5 therefrom, and thereafter the Department reduced its observations, data,
6 information and measurements to writing and executed surveys and prepared
7 maps from the observations of such surveys in accordance with uniform
8 rules and regulations duly and regularly adopted by the Department, which
9 surveys and maps showed with substantial accuracy the course of the streams
10 involved in said proceeding, the location of each conduit diverting water
11 therefrom, land irrigated and capable of being irrigated by each conduit,
12 and the kind of culture upon said irrigated lands. Said maps were pre-
13 pared by the Department as the surveys and observations progressed, and
14 when completed were duly and regularly filed and made of record in the
15 office of the Department.

16 5. Upon the completion of the aforesaid measurements and maps
17 and after filing of said observations, data, information and measurements,
18 as aforesaid, the Department, by order duly given and made, gave notice
19 by publication thereof, setting forth the date prior to which proofs of
20 claims to be furnished by claimants, in and to the use of the waters involved
21 in said proceeding, were required to be filed with the Department, and the
22 Department gave like notice and enclosed therewith blank forms of proofs
23 by registered mail, with postage fully prepaid thereon, to each claimant to
24 rights in and to the use of the waters involved in this proceeding, insofar
25 as such claimant could be reasonably ascertained at his last known place of
26 address. Thereafter the time allowed within which proofs might be filed
27 was extended by orders duly given and made by the Department, to and includ-
28 ing August 15, 1945, and within said period as so extended claimants herein
29 duly filed with the Department thirty-seven proofs of their respective
30 rights in and to the use of the waters involved in said proceeding. Jesse
31 Arnold Cason and Roy J. Helm neglected to make proof of their claim of

1 water right under Application 10350, Permit 6113, within the time allowed
2 for filing such proof. The Department has determined herein the rights of
3 said parties on such evidence as it has obtained and has on file in the way
4 of maps, plats, surveys, transcripts and other data essential to a deter-
5 mination of the water right involved.

6 6. After the filing of said proofs by claimants as aforesaid,
7 and after the expiration of the time fixed by the Department for the
8 filing of said proofs, the Department duly assembled all proofs which
9 had been filed and prepared and duly certified an abstract of all said
10 proofs entitled "Abstract of Proofs of Claims, January, 1946", and there-
11 after by order duly given and made, prepared a notice fixing and setting a
12 time and place convenient to the claimants when and where evidence taken by
13 or filed with the Department would be open to inspection for a period of
14 not less than ten days; and a copy of said notice together with a copy of
15 said abstract of proofs was thereafter, and more than fifteen days prior
16 to the first day prescribed in said order as the commencement of the period
17 of such inspection, duly mailed by registered mail, with the postage fully
18 prepaid thereon, to each claimant who had appeared and filed proofs, and
19 thereafter and in accordance with said notice, all of the evidence taken by
20 or filed with the Department was open for inspection at the times and in
21 the place and for the period designated in said notice, and any and all
22 persons during said period were permitted to inspect such evidence and
23 proofs, and during all of said period of inspection, a representative of
24 the Department was present.

25 7. Forty-one notices of contests of claims were filed with the
26 Department within fifteen days after expiration of the time during which
27 said evidence and proofs were opened to public inspection; within ten days
28 after the receipt of the notice of each of said contests, the Department
29 notified by registered mail the contestants and the claimants respectively
30 involved in each of said contests of the respective time and place fixed for
31 hearing the matter of said contests, each of said times being fixed at least

1 than fifteen nor more than sixty days from the respective time the Depart-
2 ment mailed said notice of hearing; and the Department duly opened the hear-
3 ings of contests at the respective times and places fixed by said notices
4 of hearing; and at said times and places duly continued said hearings which
5 were thereafter resumed from time to time after notice duly given by the
6 Department until all contests filed in the proceeding had been disposed of
7 by agreement. A transcript of all testimony taken at each of the aforesaid
8 hearings was prepared and has been duly filed in this proceeding.

9 8. An agreement entitled "Stipulation for Order of Determination",
10 is on file and of record in this proceeding. Said agreement was signed by
11 all parties to the determination except Jesse Arnold Cason and Roy J. Helm,
12 whose joint claim of right is based upon Application 10350, Permit 6113 be-
13 fore the Department. Said agreement provides that all of claimants' rights
14 and interests of whatsoever kind and character in and to the use of the
15 waters of Shackleford Creek and its tributaries in Siskiyou County,
16 California, are thereby finally settled and compromised as set forth in
17 the agreement. Said agreement authorizes the Department to enter its order
18 determining and establishing the several rights in and to the use of the
19 waters of said Shackleford Creek and its tributaries, pursuant thereto.

20 9. Said Department duly made, on October 31, 1949, its order
21 determining and establishing the several rights to the waters of Shackleford
22 Creek and its Tributaries, in Siskiyou County, California, which said order
23 was entered of record on said date in the office of said Department in
24 Book 2, Orders of Determination, at page 75, which said order was duly
25 certified by said Department. Thereafter said Department caused said Order
26 of Determination ~~so~~ certified to be printed and a copy thereof to be sent
27 by registered mail, with postage fully prepaid thereon, to each person who
28 filed proof of claim, directed to the last known address.

29 10. At the time of submission of said proofs, said Department
30 collected the fees due thereon, and after the time of mailing its Order of
31 Determination as aforesaid, computed the entire expense incurred in perform-

1 ing the duties prescribed, in this proceeding, including salaries, wages,
2 traveling expenses, and all costs of whatever character properly chargeable
3 to the proceeding, and duly made an equitable apportionment against the
4 parties, of said expense in excess of the total amount received by the
5 Department from claimants with their submission of said proofs, and duly
6 served, on November 30, 1949, a notice of statement and apportionment of
7 said expense, by registered mail with the postage fully prepaid thereon,
8 on each of the parties to this proceeding. No objections having been
9 filed by any party to this proceeding to said statement and apportionment
10 of expense within the period prescribed; said statement and apportionment
11 of expense was duly approved by the Court on January 19, 1950; and said
12 Court duly ordered that all apportionments of expense remaining unpaid
13 at the time of entry of decree should be included therein.

14 11. After entry of the Order of Determination as aforesaid,
15 and on November 23, 1949, a certified copy thereof, together with the
16 original evidence and transcript of testimony filed with or taken before
17 the Department, all duly certified by said Department, was filed with the
18 clerk of the Superior Court of the State of California in and for the
19 County of Siskiyou. Upon the filing of said certified copy of said order,
20 evidence and transcript with the Clerk of said Court, and on November 23,
21 1949, the Department procured an order from said Court setting January 19,
22 1950, at ten o'clock in the morning of said day in the courtroom of said
23 Court in the City of Yreka in said county and state, as the time and
24 place for hearing on said Order of Determination. The Department there-
25 upon procured from the Clerk of said Court a certified copy of said order of
26 said Court setting the time and place for hearing as aforesaid, and with the
27 Department mailed a copy of such certified copy of said order by registered
28 mail, with postage fully prepaid thereon, addressed to each known party in
29 interest at his last known address, and duly caused said certified copy of
30 said order to be published, and duly filed with the Clerk of said Court
31 proof of such service by registered mail and publication.

1 12. No exceptions were filed with said Court within the pre-
2 scribed time and manner, and said proceeding came on duly and regularly
3 for hearing before the Court, on January 19, 1950, at which time said
4 Court made an order affirming said Order of Determination.

5

6

DESCRIPTION OF AREA INVOLVED

7 13. Shackleford Creek rises on the northeasterly slope of the
8 Salmon Mountains in the westerly portion of Siskiyou County, California.
9 It follows a northeasterly course to the rim of Quartz Valley and thence
10 east and north through said valley to its junction with Scott River at the
11 lower end of Scott Valley. Mill Creek, the only important tributary, has
12 its source some two miles east of the headwaters of Shackleford Creek,
13 flows northeasterly and thence northerly to its junction with Shackleford
14 Creek at the point where the latter stream turns north through Quartz
15 Valley. Evans Creek, a small stream which drains the comparatively low
16 mountains forming the southern rim of the basin, is tributary to Mill
17 Creek from the south. The drainage area of these streams above the rim
18 of Quartz Valley is about thirty-one square miles and ranges in elevation
19 from about 3,000 to 7,500 feet. Quartz Valley embraces the entire
20 agricultural area within the drainage basin. It is about two miles wide
21 by about six miles long with the major axis and drainage from the south
22 to north.

23 14. The waters of the stream system are used for irrigation,
24 domestic and stock-watering purposes, with the two latter uses being
25 largely incidental to irrigation. A total area of approximately 2,622
26 acres of land is irrigated. The elevations on this area range from about
27 3,100 feet at the south end of Quartz Valley to about 2,650 feet along
28 Scott River. A portion of the irrigated land, situated in the Oro Fino
29 Creek, Sniktaw Creek and Scott River drainages, lies outside the watershed
30 of the stream system.

31 15. The climatic characteristics of the area, in common with

1 similar mountain valley areas in the north central portion of California,
2 are deficient rainfall, wide range of temperature variations, low humidity
3 and rapid evaporation during the growing season. The average growing season
4 in the area is estimated to be about 140 days.

5 16. The principal crops grown on the irrigated lands are meadow
6 hay, meadow pasturage, and grain. A small percentage of the irrigated area
7 is cropped to alfalfa, corn and potatoes. The crops grown are well adapted
8 to the gravelly loam soils of the area.

9 17. The successful production of crops within the area is de-
10 pendent upon irrigation, and since the water supply of Shackleford Creek
11 and its tributaries is inadequate for all agricultural needs throughout
12 each irrigation season, it is essential that the rights in and to the use
13 of said waters be determined in order that there may be an orderly distribu-
14 tion thereof to the lawful owners.

15

16 GENERAL DEFINITIONS, LIMITATIONS AND PROVISIONS

17 18. The term "proceeding" when used herein means "in the matter
18 of the determination of the rights of the various claimants to the waters
19 of Shackleford Creek and its tributaries in Siskiyou County, California";
20 the term "Department" when used herein means the "Department of Public
21 Works of the State of California, acting through the State Engineer"; the
22 term "Water Code" when used herein means the Water Code of the State of
23 California as amended; the term "stream system" when used herein means
24 Shackleford Creek and its tributaries in Siskiyou County, California; the
25 term "claimant" when used herein means a party claiming rights in and to
26 the use of the waters of Shackleford Creek and its tributaries in Siskiyou
27 County, California; the term "proof" when used herein means "Proof of
28 Claim of Water Right".

29 19. Although all quantities of water hereinafter allotted to
30 the several claimants for direct application to beneficial use are general-
31 ly expressed in terms of continuous flow, nevertheless, nothing here-

1 contained shall be construed as limiting or restricting the rights of any
2 such claimants to rotate in the use of water, or the right of any such
3 claimant to divert for limited periods of time convenient irrigation heads
4 and thus apply water to his lands at a greater rate than indicated by the
5 quantity of continuous flow so allotted; provided, that such practice of
6 rotation or use of irrigation heads shall not result in the use by any such
7 claimant of a total quantity of water during any thirty-day period in ex-
8 cess of the equivalent of such claimant's continuous flow allowance for
9 thirty days, except as hereinafter otherwise expressly provided in paragraph
10 30; and provided further, that such practice of rotation or such use of
11 irrigation heads shall not impair or infringe the rights of any other
12 claimant.

13 20. Nothing herein contained shall, or shall be construed to,
14 prevent any of the claimants herein, who jointly use a ditch where there
15 is a continuous flow allotment to said ditch, from employing by agreement
16 of such joint users of said ditch a system of rotation in use as among
17 themselves; or prevent any claimant herein who has allotments to two or
18 more ditches, from using all or any portion of the aggregate of such
19 allotments through each or any of said ditches on all or any portion of
20 his lands; provided the total quantity of water diverted by said claimant
21 at any time shall not exceed said aggregate of such allotments; and pro-
22 vided further, such practice of rotation or such use of combined allot-
23 ments shall not impair or infringe the rights of any other claimant.

24 21. The term "directly apply to beneficial use" means the
25 direct conveyance and application of water diverted to beneficial use
26 without intermediate storage, except such regulatory storage as may be
27 practiced for the purpose of equalizing the flow of water diverted to
28 convenient irrigation head.

29 22. The term "natural flow" means such flow as will naturally
30 occur at any given point in a stream from the runoff of the watershed
31 which it drains, from springs which naturally contribute to the stream.

1 from seepage, and from waste and return flow from dams, conduits and
2 irrigated lands, as distinguished from released stored water, and from
3 foreign water directly conveyed to the stream from another watershed.

4 23. Nothing herein contained shall, or shall be construed to,
5 allocate to any claimant a right to divert from the stream system, at any
6 time, a quantity of water in excess of the amount reasonably necessary for,
7 and actually applied to, reasonable beneficial use under and by reasonable
8 methods of diversion and use by said claimant.

9 24. The "Division of Water Resources Map", hereinafter referred
10 to as D.W.R. Map, is the map prepared by the Department from its surveys
11 made in 1944, which map is entitled "Shackleford Creek Stream System
12 Showing Diversions and Irrigated Lands, Siskiyou County, California", is
13 dated 1944, and is on file in this proceeding.

14

15

DEFINITION OF WATER RIGHTS

16 25. The rights in and to the waters, and in and to the use
17 thereof, from said stream system are divided into four groups designated
18 as Upper Shackleford Creek Group, Lower Shackleford Creek Group, Upper
19 Mill Creek Group, and Lower Mill Creek Group, and one incomplete right
20 of Jesse Arnold Cason and Roy J. Helm. All rights in each of the groups
21 are independent of all rights in the remaining three groups, and are
22 superior in priority and in right to the incomplete right.

23 26. The various claimants in the proceeding are entitled to
24 use of the waters of said stream system upon the places of use hereinafter
25 described under their respective names in Schedule 1, and are entitled to
26 divert said waters at the respective points of diversion from said stream
27 system as hereinafter named, numbered and described in Schedule 2. The
28 respective points of measurement of the quantities of water hereinafter
29 allotted to the several claimants are at or near said respective points
30 of diversion from said stream system.

31 27. The various claimants in the proceeding are entitled to

1 "interrelated", "winter class", and "surplus class" water rights and one
2 incomplete right. All allocations of "interrelated" water rights in each
3 of said groups in said stream system, as hereinbefore designated in
4 paragraph 25, occur in various priority classes and are hereinafter set
5 forth in Schedules 3, 4, 5 and 6; each of the Upper Shackleford Creek,
6 Lower Shackleford Creek and Upper Mill Creek groups, contains rights in
7 "winter class" as hereinafter set forth in paragraphs 31, 35 and 38, which
8 rights are independent of all "interrelated" rights in the group in which
9 said "winter class" rights occur. The Upper Shackleford Creek Group
10 contains one right in "surplus class" as hereinafter set forth in paragraph
11 32, in addition to the water right allocations set forth in said Schedule
12 3 and paragraph 31, which right is subject and inferior to all other rights
13 in said Upper Shackleford Creek Group. The incomplete right is herein-
14 after set forth in paragraph 41, and is subject and inferior to all other
15 rights in the stream system.

16 28. The allotments set forth in various priority classes in
17 Schedules 3, 4, 5, and 6 shall be for use during the seasons hereinafter
18 stated in paragraphs 30, 34, 37 and 40 and the allotments to all other
19 rights shall be for use during the seasons hereinafter stated in the
20 various paragraphs defining said rights.

21

22 Definition of Water Rights in Upper Shackleford Creek Group

23 29. The Upper Shackleford Creek Group, as hereinbefore designated
24 in paragraph 25, comprises all rights in and to the waters, and in and to
25 the use thereof in Shackleford Creek above the junction of Shackleford
26 Creek and Mill Creek except the incomplete right hereinafter set forth in
27 paragraph 41. Said group contains "interrelated" rights in seven priority
28 classes, as set forth in Schedule 3 hereof and hereinafter defined in
29 paragraph 30; "winter class" rights in two priority classes, as herein-
30 after set forth and defined in paragraph 31; and one right in "surplus
31 class", as hereinafter set forth and defined in paragraph 32.

1 30. The various claimants enumerated in Schedule 3 hereof are
2 entitled to "interrelated" rights in priority class "1st", priority class
3 "2nd", priority class "3rd", priority class "4th", priority class "5th",
4 priority class "6th", and priority class "7th" in and to the use of the
5 natural flow of Shackleford Creek, during the season from April 1 to
6 October 31, both dates inclusive, of each year, for domestic, stockwatering
7 and irrigation purposes upon their respective lands as shown on said D.W.R.
8 Map and as described under their respective names in Schedule 1 hereof, in
9 accordance with the acreages to be supplied, priorities and quantities of
10 water allotted, and through the diversions numbered as set forth in said
11 Schedule 3. Said rights in priority class "1st" are equal in priority and
12 correlative in right, but are superior in priority and in right to all other
13 rights in said Schedule 3, and to said right hereinafter defined in "surplus
14 class", and at all times when the available water supply is inadequate to
15 supply all of said rights in priority class "1st", then during the con-
16 tinuance of such shortage, the owners of such rights shall prorate the
17 available water supply in accordance with their respective allotments in
18 said priority class "1st" as set forth in said Schedule 3. Said right in
19 priority class "2nd" is subject and inferior to said rights in priority
20 class "1st", but is superior in priority and in right to all other rights
21 in said Schedule 3, and to said right hereinafter defined in "surplus class".
22 Said right in priority class "3rd" is subject and inferior to said rights
23 in priority classes "1st" and "2nd", but is superior in priority and in
24 right to all other rights in said Schedule 3, and to said right hereinafter
25 defined in "surplus class". Said rights in priority class "4th" are equal
26 in priority and correlative in right, are subject and inferior to said
27 rights in priority classes "1st" to "3rd", inclusive, but are superior
28 in priority and in right to all other rights in said Schedule 3, and to
29 said right hereinafter defined in "surplus class", and at all times when
30 the available water supply is inadequate to supply all of said rights in
31 priority class "4th", then during the continuance of such shortage, the

1 owners of such rights shall prorate the available water supply, if any,
2 in excess of the quantity required to supply all prior rights, in accord-
3 ance with their respective allotments in said priority class "4th" as
4 set forth in said Schedule 3. Said right in priority class "5th" is
5 subject and inferior to said rights in priority classes "1st" to "4th",
6 inclusive, but is superior in priority and in right to all other rights in
7 said Schedule 3, and to said right hereinafter defined in "surplus class".
8 Said right in priority class "6th" is subject and inferior to said rights
9 in priority classes "1st" to "5th", inclusive, but is superior in priority
10 and in right to all other rights in said Schedule 3, and to said right
11 hereinafter defined in "surplus class". Said rights in priority class
12 "7th" are equal in priority and correlative in right, are subject and
13 inferior to said rights in priority classes "1st" to "6th", inclusive, but
14 are superior in priority and in right to said right hereinafter defined in
15 "surplus class", and at all times when the available water supply is
16 inadequate to supply all of said rights in priority class "7th", then during
17 the continuance of such shortage, the owners of such rights shall prorate
18 the available water supply, if any, in excess of the quantity required to
19 supply said prior rights, in accordance with their respective allotments
20 in said priority class "7th" as set forth in said Schedule 3, provided,
21 however, that whenever the flow available for diversion from Shackleford
22 Creek under the rights set forth in said Schedule 3 is in excess of 28.93
23 cubic feet per second, water may be diverted from such excess flow under
24 right in said priority class "6th" and all rights in said priority class
25 "7th" at three times the average rate of diversion respectively set forth
26 therefor in said Schedule 3.

27 31. The various claimants hereinafter enumerated in this
28 paragraph are entitled to "winter class" rights in priority class "1st"
29 and priority class "2nd" in and to the use of the natural flow of
30 Shackleford Creek, during the season from November 1 of each year to and
31 including March 31 of the succeeding year, for domestic and stock-watering

1 purposes upon their respective lands as shown on said D.W.R. Map and as
2 described under their respective names in Schedule 1 hereof, in accordance
3 with the quantities of water and priorities allotted and through the
4 diversions numbered as set forth opposite their respective names, to wit:

6	Name of Claimant	Diversion No. as per D.W.R. Map	Allotment in Cubic Feet Per Second	Priority Class
9	United States of America	6	1.00	1st
10	L. Dennis Mulloy	8	0.03	1st
11	John H. Heide & Lorene M. Heide	3	1.00	2nd
12	Cecil Graham and	4	2.00	2nd
13	Camille Zwanziger			
14				
15				
16		Total	4.03	

17
18 Said rights in priority class "1st" are equal in priority and correlative
19 in right, but are superior in priority and in right to said rights in
20 priority class "2nd", and to said right hereinafter defined in "surplus
21 class", and at all times when the available water supply is inadequate
22 to supply all of said rights in priority class "1st", then during the
23 continuance of such shortage, the owners of such rights shall prorate the
24 available water supply in accordance with their respective allotments in
25 said priority class "1st" as set forth in this paragraph. Said rights
26 in priority class "2nd" are equal in priority and correlative in right,
27 are subject and inferior to said rights in priority class "1st", but are
28 superior in priority and in right to said right hereinafter defined in
29 "surplus class", and at all times when the available water supply is
30 inadequate to supply all of said rights in priority class "2nd", then
31 during the continuance of such shortage, the owners of such rights shall

1 prorate the available water supply, if any, in excess of the quantity
2 required to supply said prior rights, in accordance with their respective
3 allotments in said priority class "2nd" as set forth in this paragraph.

4 32. Subject to all rights hereinbefore defined,

5 CECIL GRAHAM AND CAMILLE ZWANZIGER, collectively, are entitled
6 as a right in "surplus class" to impound the waters of the South Fork of
7 Shackleford Creek in Cliff Lake and Campbell Lake at points designated
8 on said D.W.R. Map as Diversions 1 and 2, respectively, and described in
9 Schedule 2 hereof, as follows:

10 150 acre-feet per annum in Cliff Lake, and

11 350 acre-feet per annum in Campbell Lake,

12 or as much thereof as they thereafter apply to beneficial use for stock-
13 watering purposes and for the irrigation of 310.4 acres of their lands
14 as hereinafter described under their names in Schedule 1 hereof. Said
15 quantities of water shall be collected in said lakes during the period
16 from November 1 of each year to and including June 30 of the succeeding
17 year, and thereafter withdrawn from storage during the period from April
18 1 to October 31, both dates inclusive, of each year, re-diverted from
19 Shackleford Creek through the Shackleford Ditch at a point designated on
20 said D.W.R. Map as Diversion 4 and described in Schedule 2 hereof, and
21 applied to beneficial use for the aforesaid purposes.

22

23 Definition of Water Rights in Lower Shackleford Creek Group

24 33. The Lower Shackleford Creek Group, as hereinbefore designated
25 in paragraph 25, comprises all rights in and to the waters, and in and to
26 the use thereof in Shackleford Creek below the junction of Shackleford and
27 Mill Creeks. Said group contains "interrelated" rights in seven priority
28 classes, as set forth in Schedule 4 hereof and hereinafter defined in
29 paragraph 34; and "winter class" rights equal in priority and correlative
30 in right, as hereinafter set forth and defined in paragraph 35.

31

1 34. The various claimants enumerated in Schedule 4 hereof are
2 entitled to "interrelated" rights in priority class "1st", priority class
3 "2nd", priority class "3rd", priority class "4th", priority class "5th",
4 priority class "6th" and priority class "7th" in and to the use of the
5 natural flow of Shackleford Creek, during the season from April 1 to
6 October 31, both dates inclusive, of each year, for domestic, stock-water-
7 ing and irrigation purposes upon their respective lands as shown on said
8 D.W.R. Map and as described under their respective names in Schedule 1
9 hereof, in accordance with the acreages to be supplied, priorities and
10 quantities of water allotted, and through the diversions numbered as set
11 forth in said Schedule 4. Said rights in priority class "1st" are equal
12 in priority and correlative in right, but are superior in priority and
13 in right to all other rights in said Schedule 4, and at all times when
14 the available water supply is inadequate to supply all of said rights in
15 priority class "1st", then during the continuance of such shortage, the
16 owners of such rights shall prorate the available water supply in accord-
17 ance with their respective allotments in said priority class "1st" as set
18 forth in said Schedule 4. Said rights in priority class "2nd" are equal in
19 priority and correlative in right, are subject and inferior to said rights
20 in priority class "1st", but are superior in priority and in right to all
21 other rights in said Schedule 4, and at all times when the available
22 water supply is inadequate to supply all of said rights in priority class
23 "2nd", then during the continuance of such shortage, the owners of such
24 rights shall prorate the available water supply, if any, in excess of the
25 quantity required to supply all prior rights, in accordance with their
26 respective allotments in said priority class "2nd" as set forth in said
27 Schedule 4. Said rights in priority class "3rd" are equal in priority
28 and correlative in right, are subject and inferior to said rights in
29 priority classes "1st" and "2nd", but are superior in priority and in
30 right to all other rights in said Schedule 4, and at all times when the
31 available water supply is inadequate to supply all of said rights in

1 priority class "3rd", then during the continuance of such shortage, the
2 owners of such rights shall prorate the available water supply, if any,
3 in excess of the quantity required to supply all prior rights, in
4 accordance with the respective allotments in said priority class "3rd"
5 as set forth in said Schedule 4. Said right in priority class "4th" is
6 subject and inferior to said rights in priority classes "1st" to "3rd",
7 inclusive, but is superior in priority and in right to all other rights
8 in said Schedule 4. Said rights in priority class "5th" are equal in
9 priority and correlative in right, are subject and inferior to said
10 rights in priority classes "1st" to "4th", inclusive, but are superior in
11 priority and in right to all other rights in said Schedule 4, and at all
12 times when the available water supply is inadequate to supply all of said
13 rights in priority class "5th", then during the continuance of such
14 shortage, the owners of such rights shall prorate the available water
15 supply, if any, in excess of the quantity required to supply all prior
16 rights, in accordance with their respective allotments in said priority
17 class "5th" as set forth in said Schedule 4. Said rights in priority
18 class "6th" are equal in priority and correlative in right, are subject
19 and inferior to said rights in priority classes "1st" to "5th", inclusive,
20 but are superior in priority and in right to all other rights in said
21 Schedule 4, and at all times when the available water supply is inadequate
22 to supply all of said rights in priority class "6th", then during the
23 continuance of such shortage, the owners of such rights shall prorate
24 the available water supply, if any, in excess of the quantity required
25 to supply all prior rights, in accordance with their respective allot-
26 ments in said priority class "6th" as set forth in said Schedule 4. Said
27 rights in priority class "7th" are equal in priority and correlative in
28 right, are subject and inferior to said rights in priority classes
29 "1st" to "6th", inclusive, and at all times when the available water
30 supply is inadequate to supply all of said rights in priority class
31 "7th", then during the continuance of such shortage, the owners of such

1 rights shall prorate the available water supply, if any, in excess of
2 the quantity required to supply all prior rights, in accordance with
3 their respective allotments in said priority class "7th" as set forth in
4 said Schedule 4.

5 35. The various claimants hereinafter enumerated in this
6 paragraph are entitled to "winter class" rights in and to the use of the
7 natural flow of Shackleford Creek, during the season from November 1 of
8 each year to and including March 31 of the succeeding year, for domestic
9 and stock-watering purposes upon their respective lands as shown on said
10 D.W.R. Map and as described under their respective names in Schedule 1
11 hereof, in accordance with the quantities of water allotted and through
12 the diversions numbered as set forth opposite their respective names, to wit:

13	Name of Claimant	Diversion No. as per 14 <u>D.W.R. Map</u>	Allotment in cubic feet 14 <u>per second</u>
15			
16	Burnell M. Burton	20	0.25
	and Rose A. Burton	22	0.20
17	Edward Burton & Emma S. Burton	17	0.25
18	C. B. Camblin and		
19	Jeanne Camblin	19	1.00
20	Henry F. Chester	18	0.25
21	Donald L. Miller	21	0.10
22	Joseph Rivallier	19	0.30
		21	0.60
23			<hr/>
24	Total		2.95

25
26 Said rights are equal in priority and correlative in right, and at all
27 times when the available water supply is inadequate to supply all of said
28 rights set forth in this paragraph, then during the continuance of such
29 shortage, the owners of such rights shall prorate the available water
30 supply in accordance with their respective allotments as set forth in this
31 paragraph:

10 10

1 Definition of Water Rights in Upper Mill Creek Group

2 36. The Upper Mill Creek Group, as hereinbefore designated in
3 paragraph 25, comprises all rights in and to the waters, and in and to
4 the use thereof in Mill Creek above the point where the Shackleford Ditch
5 crosses said Mill Creek. Said group contains "interrelated" rights in
6 three priority classes, as set forth in Schedule 5 hereof and hereinafter
7 defined in paragraph 37; and "winter class" rights equal in priority and
8 correlative in right, as hereinafter set forth and defined in paragraph 38.

9 37. The various claimants enumerated in Schedule 5 hereof are
10 entitled to "interrelated" rights in priority class "1st", priority class
11 "2nd", and priority class "3rd" in and to the use of the natural flow of
12 Mill Creek, during the season from April 1 to October 31, both dates
13 inclusive, of each year, for domestic, stock-watering and irrigation
14 purposes upon their respective lands as shown on said D.W.R. Map and as
15 described under their respective names in Schedule 1 hereof, in accord-
16 ance with the acreages to be supplied, priorities and quantities of water
17 allotted, and through the diversions numbered as set forth in said
18 Schedule 5. Said right in priority class "1st" is superior in priority
19 and in right to said rights in priority classes "2nd" and "3rd". Said
20 rights in priority class "2nd" are equal in priority and correlative in
21 right, are subject and inferior to said right in priority class "1st",
22 but are superior in priority and in right to said right in priority class
23 "3rd", and at all times when the available water supply is inadequate to
24 supply all of said rights in priority class "2nd", then during the
25 continuance of such shortage, the owners of such rights shall prorate
26 the available water supply, if any, in excess of the quantity required
27 to supply all prior rights, in accordance with their respective allotments
28 in said priority class "2nd" as set forth in said Schedule 5; provided
29 however, at all times when the flow available for said rights in priority
30 class "2nd" is equal to or less than 0.50 cubic foot per second, then
31 during such times the available flow shall be divided equally among the

1 three owners of said rights in priority class "2nd" in accordance with
2 the provisions of that certain agreement dated July 31, 1943, recorded
3 on June 14, 1945, in Book 171, Official Records, Siskiyou County,
4 California, a copy of which said agreement is on file in this proceeding.
5 Said right in priority class "3rd" is subject and inferior to said rights
6 in priority classes "1st" and "2nd".

7 38. The various claimants hereinafter enumerated in this
8 paragraph are entitled to "winter class" rights in and to the use of the
9 natural flow of Mill Creek, during the season from November 1 of each
10 year to and including March 31 of the succeeding year, for domestic and
11 stock-watering purposes upon their respective lands as shown on said
12 D.W.R. Map and as described under their respective names in Schedule 1
13 hereof, in accordance with the quantities of water allotted and through
14 the diversions numbered as set forth opposite their respective names,
15 to wit:

16	Name of Claimant	Diversion	Allotment
17		No. as per	in Cubic
18		<u>D.W.R. Map</u>	<u>Feet per Second</u>
19	Robert L. Couch	11	0.01
20		12	0.10
21	Robert P. Davis and Margaret W. Davis	11	0.17
22			
23	G. Douglas Eastlick and Elma J. Eastlick	11	0.17
24			
25	Lena Butler	11	0.17
26			—
27	Total		0.62

28
29 Said rights are equal in priority and correlative in right, and at all
30 times when the available water supply is inadequate to supply all of said
31 rights set forth in this paragraph, then during the continuance of such

1 shortage, the owners of such rights shall prorate the available water
2 supply in accordance with their respective allotments as set forth in
3 this paragraph.

4

5 Definition of Water Rights in Lower Mill Creek Group

6 39. The Lower Mill Creek Group, as hereinbefore designated in
7 paragraph 25, comprises all rights in and to the waters, and in and to the
8 use thereof in Mill Creek between the point where the Shackleford Ditch
9 crosses said Mill Creek and the point where said Mill Creek joins
10 Shackleford Creek. Said group contains "interrelated" rights in two pri-
11 ority classes, as set forth in Schedule 6 hereof and hereinafter defined
12 in paragraph 40.

13 40. The various claimants enumerated in Schedule 6 hereof are
14 entitled to "interrelated" rights in priority class "1st" and priority
15 class "2nd" in and to the use of the natural flow of Mill Creek for
16 domestic, stock-watering and irrigation purposes upon their respective
17 lands as shown on said D.W.R. Map and as described under their respective
18 names in Schedule 1 hereof, in accordance with the acreages to be supplied,
19 priorities and quantities of water allotted, and through the diversions
20 numbered as set forth in said Schedule 6. Said rights in priority class
21 "1st" are for continuous usage without regard to season, are equal in
22 priority and correlative in right, but are superior in priority and in
23 right to said rights in priority class "2nd", and at all times when the
24 available water supply is inadequate to supply all of said rights in
25 priority class "1st", then during the continuance of such shortage, the
26 owners of such rights shall prorate the available water supply in accord-
27 ance with their respective allotments as set forth in said Schedule 6.
28 Said rights in priority class "2nd" are for continuous usage during the
29 season from April 1 to October 31, both dates inclusive, of each year, are
30 equal in priority and correlative in right, but are subject and inferior
31 to said rights in priority class "1st", and at all times when the available

1 water supply is inadequate to supply all of said rights in priority class
2 "2nd", then during the continuance of such shortage, the owners of such
3 rights shall prorate the available water supply, if any, in excess of the
4 quantity required to supply all prior rights, in accordance with their
5 respective allotments as set forth in said Schedule 6.

6

7 Definition of Incomplete Right of Jesse Arnold Cason and Roy J. Helm

8 41. Subject to all rights hereinbefore defined,

9 JESSE ARNOLD CASON AND ROY J. HELM, collectively, are entitled
10 to divert from the natural flow of Shackleford Creek at a point within
11 the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T. 43 N., R. 10 W., M.D.B.&M.

12 1.00 cubic foot per second,

13 from about March 15 to July 1 of each season for domestic and irrigation
14 purposes and such amount of water as is required from about October 1 of
15 each year to about March 15 of the succeeding year for domestic purposes
16 only; said water to be used for the aforesaid purposes upon the following
17 described lands all in accordance with Application 10350 filed December
18 31, 1941, with the Department:

19

20 5.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, T. 43 N., R. 10 W., M.D.B.&M.
21 12.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, T. 43 N., R. 10 W., M.D.B.&M.
22 6.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, T. 43 N., R. 10 W., M.D.B.&M.
23 13.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T. 43 N., R. 10 W., M.D.B.&M.
36.0 acres - Total

24 provided, that prior to December 1, 1950, or such further time as may be
25 hereafter granted by the court herein, Jesse Arnold Cason and Roy J. Helm
26 shall have completed said appropriation from Shackleford Creek and applied
27 said water to beneficial use in accordance with the terms of Permit 6113,
28 issued on said Application 10350, and shall have submitted evidence of
29 such completed appropriation and use to the Superior Court of California
30 in and for the County of Siskiyou, and subject to the provisions of such

1 supplemental decree as the court herein may hereafter enter.

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SCHEDULE 1

DESCRIPTION OF AREAS IRRIGATED AND
PLACES OF USE OF WATER ALLOTTED
FROM SHACKLEFORD CREEK AND ITS TRIBUTARIES

Robert E. Brown and Walter A. Graves

9.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, T. 44 N., R. 10 W., M.D.B. & M.
9.7 acres - Total

Burnell M. Burton and Rose A. Burton

5.1 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, T. 44 N., R. 10 W., M.D.B. & M.
12.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
17.2 acres - Total (Burton East Side Ditch)

1.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, T. 44 N., R. 10 W., M.D.B. & M.
34.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, T. 44 N., R. 10 W., M.D.B. & M.
35.9 acres - Total (Burton West Side Ditch)

25.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
4.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
29.0 acres - Total (Burton-Meamber Ditch)

Edward Burton and Emma S. Burton

24.1 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
32.3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
32.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
89.0 acres - Total (Burton-Meamber Ditch)

14.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, T. 44 N., R. 10 W., M.D.B. & M.
29.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, T. 44 N., R. 10 W., M.D.B. & M.
7.1 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
4.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
54.5 acres - Total (Freitas Ditch)

Lena Butler

10.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, T. 43 N., R. 10 W., M.D.B. & M.
35.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, T. 43 N., R. 10 W., M.D.B. & M.
3.9 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, T. 43 N., R. 10 W., M.D.B. & M.
49.6 acres - Total

C. B. Camblin and Jeanne Camblin

37.1 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T. 44 N., R. 9 W., M.D.B. & M.
27.1 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T. 44 N., R. 9 W., M.D.B. & M.
38.7 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T. 44 N., R. 9 W., M.D.B. & M.
37.9 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T. 44 N., R. 9 W., M.D.B. & M.
140.8 acres - Total

SCHEDULE 1 (Cont'd.)

Henry F. Chester

21.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
1.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
23.0 acres - Total (Chester Ditch)

6.9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
6.9 acres - Total (Hammond-Crawford-Lewis Ditch)

Robert L. Couch

9.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T. 43 N., R. 10 W., M.D.B. & M.
1.9 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T. 43 N., R. 10 W., M.D.B. & M.
8.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T. 43 N., R. 10 W., M.D.B. & M.
0.8 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T. 43 N., R. 10 W., M.D.B. & M.
1.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T. 43 N., R. 10 W., M.D.B. & M.
22.0 acres - Total

Joseph Sinz

13.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, T. 43 N., R. 10 W., M.D.B. & M.
13.3 acres - Total

Jacob Dangel

12.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
3.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
15.8 acres - Total (Dangel Mill Creek Ditch)

9.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T. 43 N., R. 10 W., M.D.B. & M.
26.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T. 43 N., R. 10 W., M.D.B. & M.
16.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T. 43 N., R. 10 W., M.D.B. & M.
12.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
10.3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
75.2 acres - Total (Dangel Shackleford Creek Ditch)

3.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T. 43 N., R. 10 W., M.D.B. & M.
0.3 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T. 43 N., R. 10 W., M.D.B. & M.
3.5 acres - Total (Denny Bar Ditch)

Power purposes

in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
(Dangel Mill Creek Ditch)

SCHEDULE 1 (Cont'd.)

Robert P. Davis and Margaret W. Davis

18.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T. 43 N., R. 10 W., M.D.B. & M.
 19.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T. 43 N., R. 10 W., M.D.B. & M.
 22.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, T. 43 N., R. 10 W., M.D.B. & M.
 40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, T. 43 N., R. 10 W., M.D.B. & M.
 40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, T. 43 N., R. 10 W., M.D.B. & M.
 17.1 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, T. 43 N., R. 10 W., M.D.B. & M.
 12.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, T. 43 N., R. 10 W., M.D.B. & M.
30.9 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 26, T. 43 N., R. 10 W., M.D.B. & M.
 200.4 acres - Total

G. Douglas Eastlick and Elma J. Eastlick

8.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, T. 43 N., R. 10 W., M.D.B. & M.
 16.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, T. 43 N., R. 10 W., M.D.B. & M.
 0.1 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T. 43 N., R. 10 W., M.D.B. & M.
 8.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T. 43 N., R. 10 W., M.D.B. & M.
 3.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T. 43 N., R. 10 W., M.D.B. & M.
 1.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, T. 43 N., R. 10 W., M.D.B. & M.
 29.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, T. 43 N., R. 10 W., M.D.B. & M.
 39.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, T. 43 N., R. 10 W., M.D.B. & M.
 4.7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, T. 43 N., R. 10 W., M.D.B. & M.
 24.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, T. 43 N., R. 10 W., M.D.B. & M.
35.7 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, T. 43 N., R. 10 W., M.D.B. & M.
 172.4 acres - Total

Robert A. English

1.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, T. 43 N., R. 10 W., M.D.B. & M.
5.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, T. 43 N., R. 10 W., M.D.B. & M.
 7.3 acres - Total

Cecil Graham and Camille Zwanziger

28.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T. 43 N., R. 9 W., M.D.B. & M.
 19.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T. 43 N., R. 9 W., M.D.B. & M.
 28.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, T. 43 N., R. 9 W., M.D.B. & M.
29.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, T. 43 N., R. 9 W., M.D.B. & M.
 105.8 acres - Total (Oro Fino Ranch)

15.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, T. 43 N., R. 10 W., M.D.B. & M.
 5.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, T. 43 N., R. 10 W., M.D.B. & M.
 7.9 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
 21.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
 39.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T. 43 N., R. 10 W., M.D.B. & M.
 29.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T. 43 N., R. 10 W., M.D.B. & M.
 37.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T. 43 N., R. 10 W., M.D.B. & M.
 17.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T. 43 N., R. 10 W., M.D.B. & M.
 5.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T. 43 N., R. 10 W., M.D.B. & M.
 7.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T. 43 N., R. 10 W., M.D.B. & M.
 16.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, T. 43 N., R. 10 W., M.D.B. & M.
2.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, T. 43 N., R. 10 W., M.D.B. & M.
 204.5 acres - Total (Quarts Valley Ranch)

SCHEDULE 1 (Cont'd.)

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John H. Heide and Lorene M. Heide

4	2.3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T. 43 N., R. 10 W., M.D.B. & M.
5	3.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T. 43 N., R. 10 W., M.D.B. & M.
6	40.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T. 43 N., R. 10 W., M.D.B. & M.
7	16.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T. 43 N., R. 10 W., M.D.B. & M.
8	6.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T. 43 N., R. 10 W., M.D.B. & M.
9	23.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T. 43 N., R. 10 W., M.D.B. & M.
10	21.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T. 43 N., R. 10 W., M.D.B. & M.
11	24.2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T. 43 N., R. 10 W., M.D.B. & M.
12	0.3 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T. 43 N., R. 10 W., M.D.B. & M.
13	0.3 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, T. 43 N., R. 10 W., M.D.B. & M.
14	9.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, T. 43 N., R. 10 W., M.D.B. & M.
15	147.7 acres - Total

11 F. L. Lathrop and Georgina C. Lathrop

12	20.9 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, T. 44 N., R. 10 W., M.D.B. & M.
13	35.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, T. 44 N., R. 10 W., M.D.B. & M.
14	37.9 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T. 44 N., R. 10 W., M.D.B. & M.
15	6.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T. 44 N., R. 10 W., M.D.B. & M.
16	1.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T. 44 N., R. 10 W., M.D.B. & M.
17	24.9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T. 44 N., R. 10 W., M.D.B. & M.
18	2.3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, T. 44 N., R. 10 W., M.D.B. & M.
19	129.1 acres - Total (Burton-Meanber Ditch)
20	11.1 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, T. 44 N., R. 10 W., M.D.B. & M.
21	9.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T. 44 N., R. 10 W., M.D.B. & M.
22	1.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T. 44 N., R. 10 W., M.D.B. & M.
23	21.9 acres - Total (Freitas Ditch)

20 Donald L. Miller

21	5.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
22	5.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
23	10.6 acres - Total (Goodale Ditch)
24	11.9 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
25	11.9 acres - Total (Hammond-Crawford-Lewis Ditch)

25 Cornelius J. Miller and L. Dennis Miller Tract 13

26	13.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
27	13.1 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
28	40.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
29	17.8-13-1 26.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
30	28.5-13-1 26.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
31	13-1 18.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
32	22.4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
33	169.7 acres - Total (Howard-Jones Ditch) #5 4.00 cfs 47H

13.2 = 18.4
6.731
6.6
22.4
64.1 = 37.7 %

SCHEDULE 1 (Cont'd.)

Cornelius J. Mulloy and L. Dennis Mulloy (Cont'd.) Tract 13

5.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
3.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
13.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
21.4 acres - Total (Mulloy Spring Ditch) * 13 0.10 CFS 1ST
0.40 CFS 2ND
LOWER MILL CR

L. Dennis Mulloy Tract 7

3.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
16.7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
14.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
9.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
11.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
55.4 acres - Total (Hobart Ditch) * 9 1.30 CFS 7TH

6.7 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
11.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
10.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
22.1 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
50.7 acres - Total (Hobart West Spring) * 27

9.7 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
11.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
6.1 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
27.7 acres - Total (Hobart East Spring) * 26 1.60 CFS
2ND
MILL
LOWER

Domestic and stock-watering purposes in
SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
(Hobart Domestic Ditch) * 8 1.03 CFS
1ST

Drury M. Parks

3.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
3.0 acres - Total

Julio Pereira

0.4 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
25.9 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
1.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T. 43 N., R. 10 W., M.D.B. & M.
17.1 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
3.9 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
2.9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
52.1 acres - Total

Joseph Rivallier

8.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, T. 44 N., R. 10 W., M.D.B. & M.
16.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, T. 44 N., R. 10 W., M.D.B. & M.
33.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
11.4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
18.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
87.9 acres - Total (Goodale Ditch)

SCHEDULE 1 (Cont'd.)

Joseph Rivallier (Cont'd.)

0.5 acre in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
3.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
17.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, T. 44 N., R. 10 W., M.D.B. & M.
23.7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, T. 44 N., R. 10 W., M.D.B. & M.
29.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, T. 44 N., R. 10 W., M.D.B. & M.
2.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, T. 44 N., R. 10 W., M.D.B. & M.
25.1 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, T. 44 N., R. 10 W., M.D.B. & M.
21.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, T. 44 N., R. 10 W., M.D.B. & M.
2.7 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, T. 44 N., R. 10 W., M.D.B. & M.
125.1 acres - Total (Hammond-Crawford-Lewis Ditch)

Jack E. Schulz

3.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T. 43 N., R. 10 W., M.D.B. & M.
36.2 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T. 43 N., R. 10 W., M.D.B. & M.
39.7 acres - Total (Whipple Ditch)
2.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T. 43 N., R. 10 W., M.D.B. & M.
2.3 acres - Total (Below Freitas Ditch)

Arthur L. Soderquist and Mildred J. Soderquist

10.8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T. 43 N., R. 10 W., M.D.B. & M.
10.8 acres - Total

United States of America, in trust

11.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, T. 44 N., R. 10 W., M.D.B. & M.
8.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, T. 44 N., R. 10 W., M.D.B. & M.
16.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
26.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
40.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
40.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T. 44 N., R. 10 W., M.D.B. & M.
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, T. 43 N., R. 10 W., M.D.B. & M.
40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, T. 43 N., R. 10 W., M.D.B. & M.
40.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, T. 43 N., R. 10 W., M.D.B. & M.
40.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, T. 43 N., R. 10 W., M.D.B. & M.
9.7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T. 43 N., R. 10 W., M.D.B. & M.
4.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T. 43 N., R. 10 W., M.D.B. & M.
7.7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T. 43 N., R. 10 W., M.D.B. & M.
27.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T. 43 N., R. 10 W., M.D.B. & M.
3.7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T. 43 N., R. 10 W., M.D.B. & M.
354.8 acres - Total

SCHEDULE 2

POINTS OF DIVERSION FROM SHACKLEFORD CREEK AND ITS TRIBUTARIES

	Number	Approximate Location of Point of Diversion				
	of	Legal Sub-Divi-	Reference			
	Diversion:	sion in which	corner for		Distance:	
Name of	on Divi-	diversion	distance and	Bearing	in feet	
Diversion	sion of	occurs	bearing	from	from	
System	Water			reference:	reference:	
	Resources:			corner	corner	
	Map	M.D.B. & M.	M.D.B. & M.			
Cliff Lake	1	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33	SE Cor. Sec. 33	N 85° W	1150	
		T 43 N, R 11 W	T 43 N, R 11 W			
Campbell Lake	2	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34	NW Cor. Sec. 34	S 20° E	2700	
		T 43 N, R 11 W	T 43 N, R 11 W			
Ralph Eastlick	3	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 9	S $\frac{1}{4}$ Cor. Sec. 9	N 4° W	1220	
Ditch		T 43 N, R 10 W	T 43 N, R 10 W			
Shackleford	4	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9	E $\frac{1}{4}$ Cor. Sec. 9	S 75° W	1900	
Ditch		T 43 N, R 10 W	T 43 N, R 10 W			
Howard-Jones	5	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9	E $\frac{1}{4}$ Cor. Sec. 9	N 66° W	570	
Ditch		T 43 N, R 10 W	T 43 N, R 10 W			
Camp Ditch	6	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10	W $\frac{1}{4}$ Cor. Sec. 10	N 65° E	800	
		T 43 N, R 10 W	T 43 N, R 10 W			
Whipple Ditch	7	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10	W $\frac{1}{4}$ Cor. Sec. 10	N 76° E	2050	
		T 43 N, R 10 W	T 43 N, R 10 W			
Hobart Domes-	8	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 10	W $\frac{1}{4}$ Cor. Sec. 10	N 79° E	2380	
tic Ditch		T 43 N, R 10 W	T 43 N, R 10 W			
Hobart Ditch	9	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10	E $\frac{1}{4}$ Cor. Sec. 10	S 83° W	600	
		T 43 N, R 10 W	T 43 N, R 10 W			
Dangel	10	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 11	W $\frac{1}{4}$ Cor. Sec. 11	N 45° E	1560	
Shackleford		T 43 N, R 10 W	T 43 N, R 10 W			
Creek Ditch						
Eastlick	11	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22	SW Cor. Sec. 22	N 46° E	1600	
Ditch (Mill		T 43 N, R 10 W	T 43 N, R 10 W			
Creek)						
Couch Ditch	12	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22	S $\frac{1}{4}$ Cor. Sec. 22	N 13° W	1650	
		T 43 N, R 10 W	T 43 N, R 10 W			
Mulloy Spring	13	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14	S $\frac{1}{4}$ Cor. Sec. 14	N 55° E	1580	
Ditch		T 43 N, R 10 W	T 43 N, R 10 W			
China Ditch	14	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14	S $\frac{1}{4}$ Cor. Sec. 14	N 45° E	2080	
		T 43 N, R 10 W	T 43 N, R 10 W			
Dangel Mill	15	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14	N $\frac{1}{4}$ Cor. Sec. 14	S 75° E	1150	
Beck Ditch		T 43 N, R 10 W	T 43 N, R 10 W			

Sheet 1

SCHEDULE 2 (Cont'd.)

Number of Diversion	Name of Diversion System	Water Resources	Map	Approximate Location of Point of Diversion				Distance in feet from reference corner
				Legal Sub-Division in which diversion occurs	Reference corner for distance and bearing	Bearing from reference corner		
16	Denny Bar Ditch		1875	SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11 T 43 N, R 10 W	S $\frac{1}{4}$ Cor. Sec. 11 T 43 N, R 10 W	N 9° E		2800
17	Freitas Ditch		1875	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2 T 43 N, R 10 W	S $\frac{1}{4}$ Cor. Sec. 2 T 43 N, R 10 W	N 48° E		1530
18	Chester Ditch		1875	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2 T 43 N, R 10 W	S $\frac{1}{4}$ Cor. Sec. 2 T 43 N, R 10 W	N 15° E		2130
19	Hammond-Crawford-Lewis Ditch		1875	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35 T 44 N, R 10 W	S $\frac{1}{4}$ Cor. Sec. 35 T 44 N, R 10 W	N 18° W		930
20	Burton-Meamber Ditch		1875	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35 T 44 N, R 10 W	S $\frac{1}{4}$ Cor. Sec. 35 T 44 N, R 10 W	N 27° W		1300
21	Goodale Ditch		1877	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35 T 44 N, R 10 W	W $\frac{1}{4}$ Cor. Sec. 35 T 44 N, R 10 W	N 86° E		2430
22	Burton West Side Ditch		1877	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35 T 44 N, R 10 W	N $\frac{1}{4}$ Cor. Sec. 35 T 44 N, R 10 W	S 4° W		1340
23	Burton East Side Ditch		1877	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35 T 44 N, R 10 W	N $\frac{1}{4}$ Cor. Sec. 35 T 44 N, R 10 W	S 2° W		1090
26	Hobart East Spring			SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 11 T 43 N, R 10 W	S $\frac{1}{4}$ Cor. Sec. 11 T 43 N, R 10 W	N 33° W		1060
27	Hobart West Spring			NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 11 T 43 N, R 10 W	S $\frac{1}{4}$ Cor. Sec. 11 T 43 N, R 10 W	N 26° W		1460
28	Macaulay West Ditch			SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 T 44 N, R 10 W	SE Cor. Sec. 26 T 44 N, R 10 W	N 66° W		2250
29	Macaulay East Ditch			SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 T 44 N, R 10 W	SE Cor. Sec. 26 T 44 N, R 10 W	N 60° W		2400

SCHEDULE 3

ALLOCATIONS TO VARIOUS CLAIMANTS FROM SHACKLEFORD CREEK IN UPPER SHACKLEFORD CREEK GROUP

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SCHEDULE 4

ALLOCATIONS TO VARIOUS CLAIMANTS FROM SHACKLEFORD CREEK
IN LOWER SHACKLEFORD CREEK GROUP

					Allotments in Cubic Feet per Second								
	Name of Claimant	Acre- age to be Sup- plied	Diver- sion No. as per D.W.R. Map	Priority Class								Total	
				1st	2nd	3rd	4th	5th	6th	7th			
4	Jack E. Schulz	2.3	17	0.10								0.10	
5	United States of												
6	America, in												
7	trust	142.2	17			1.20			2.05			3.25	
8	Edward Burton &												
9	Emma S. Burton	93.5	17						2.10			2.10	
10	F. L. Lathrop &												
11	Georgina C.												
12	Lathrop	21.9	17						1.15			1.15	
13	Henry F. Chester	23.0	18		0.70							0.70	
14	Henry F. Chester	6.9	19		0.20							0.20	
15	Donald L. Miller	11.9	19					0.30				0.30	
16	Joseph Rivallier	125.1	19					1.30		2.00		3.30	
17	C. B. Camblin &												
18	Jeanne Camblin	140.8	19					1.80		3.00		4.80	
19	Edward Burton &												
20	Emma S. Burton	50.0	20			1.20						1.20	
21	Burnell M.												
22	Burton & Rose												
23	A. Burton	48.4	20			1.10						1.10	
24	F. L. Lathrop &												
25	Georgina C.												
26	Lathrop	129.1	20			3.50						3.50	
27	Donald L. Miller	10.6	21		0.40							0.40	
28	Joseph Rivallier	87.9	21				2.00					2.00	
29	Burnell M.												
30	Burton & Rose												
31	A. Burton	40.0	22&23	1.20								1.20	
32	Robert E. Brown												
33	and Walter A.												
34	Graves	9.7	28&29	0.20								0.20	
35	Total	943.3		1.50	1.30	7.00	2.00	3.40	5.20	5.00		25.50	

SCHEDULE 5

ALLOCATIONS TO VARIOUS CLAIMANTS FROM MILL CREEK IN UPPER MILL CREEK GROUP

Name of Claimant	Acreage to be Supplied	Diver- sion No. as per D.W.R. Map	Allotments in Cubic Feet per Second			
			Priority Class			Total
			1st	2nd	3rd	
Robert L. Couch	22.0	11 & 12	0.01		0.61	0.62
Lena Butler	49.6	11		1.00		1.00
Robert P. Davis and Margaret W. Davis	200.4	11		4.50		4.50
G. Douglas Eastlick and Elma J. Eastlick	172.4	11		4.50		4.50
Total	444.4		0.01	10.00	0.61	10.62

SCHEDULE 6

ALLOCATIONS TO VARIOUS CLAIMANTS FROM MILL CREEK IN LOWER MILL CREEK GROUP

Name of Claimant	Acreage to be Supplied	Diver- sion No. as per D.W.R. Map	Allotments in Cubic Feet per Second			
			Priority Class			Total
			1st	2nd		
Cornelius J. Mulloy and L. Dennis Mulloy	21.4	13	0.10	0.40		0.50
Julio Pereira	52.1	14	0.25	1.15		1.40
Jacob Dangel	15.8	15	0.25	0.25		0.50
Jacob Dangel	3.5	16		0.50		0.50
L. Dennis Mulloy	78.4	26 & 27		1.60		1.60
Total	171.2		0.60	3.90		4.50

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED as follows:

2 42. That the court retains continuing jurisdiction of the parties
3 to this proceeding, and of the subject matter thereof, and upon application
4 of any party hereto, or successor in interest thereof, or upon its own
5 motion, to review this decree and to change and modify the same as the inter-
6 ests of justice may require.

7 43. That each and every party to this action, his or her
8 agents, successors, grantees and assigns, be and hereby are estopped to
9 object to or interfere with the respective rights of others which are de-
10 creed herein.

11 44. That each and every party to this action, his or her agents,
12 successors, grantees and assigns, be and are hereby perpetually enjoined and
13 restrained from doing anything in violation of the terms or provisions of
14 this judgment and decree, and from diverting any water from said Shackleford
15 Creek and its tributaries at any time in excess of a quantity reasonably
16 necessary for, and actually applied to, reasonable beneficial use, under
17 and by reasonable methods of diversion and use, and from doing anything,
18 directly or indirectly, that will obstruct or interfere with any right of
19 another adjudged and decreed herein.

20 45. The Department having computed the entire expense incurred
21 in performing the duties prescribed, in this proceeding, and having
22 equitably apportioned against the parties to this proceeding the amount by
23 which said entire expense exceeded the total amount received from claimants
24 on account of fees paid at the time of submission of proofs of claim, and
25 having given notice thereof to the parties to this proceeding; no objection
26 having been made to said expense or apportionment thereof; said appoint-
27 ments having become due and payable to said Department by the respective
28 parties; and all parties having heretofore paid their respective apportion-
29 ments excepting those parties against whom decree in favor of said
30 Department is rendered as follows:

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Department
2 of Public Works, Division of Water Resources, acting through the State
3 Engineer, do have and recover of and from the respective parties to this
4 proceeding the amounts of money as respectively hereinafter set forth
5 after their respective names together with interest thereon from date here-
6 of until paid at the rate provided by law:

7		
8	<u>Name of Party</u>	<u>Amount of Apportionment</u>
9	C. B. Camblin and Jeanne Camblin	\$ 178.08
10	Robert L. Couch	32.69
11	Joseph Sinz	21.56

12
13
14 Done this 3rd day of April 1950.

15
16
17 s/ JAMES M. ALLEN
18 Judge of the Superior Court

19 STATE OF CALIFORNIA)
20 COUNTY OF SISKIYOU) ss.

21 I, WALDO J. SMITH, County Clerk and ex-officio Clerk of the
22 Superior Court of the State of California, in and for the County of Siskiyou,
23 do hereby certify the foregoing to be a full, true and correct copy of the
24 original DECREE (IN THE MATTER OF THE DETERMINATION OF THE RIGHTS OF THE
25 VARIOUS CLAIMANTS TO THE WATERS OF SHACKLEFORD CREEK AND ITS TRIBUTARIES
26 IN SISKIYOU COUNTY, CALIFORNIA) on file in my office in the above entitled
27 matter No. 13775.

28 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the
29 seal of said court this 10th day of April, 1950.

30 (SEAL) WALDO J. SMITH, County Clerk

31 By s/ Ora Jackson
Deputy